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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 April 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/5/07*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communication: Amendment filed 4/13/07.

This action is made final.

2.   Claims 1-32 are pending in the case. Claims 1, 19, 20-22, 29-32 are independent

claims. Claims 1, 15, 19-22, 27, 29-31 are the amended claims. Claim 32 is new claim.

Claim Objections

3.   Applicant's amendment corrects the previous objection and therefore the objection is

 dropped.

        Claims 1, 19-21 and 32 are objected because the "graphical user interface" as recited in

claims 1, 19-21 and 32 may possibly be construed as software, per se. It is suggested that the

claims should perhaps include a hardware component.

        Claim 13 is objected to because of the following informalities: it is suggested that the

term "and semitransparent" should be removed from the claim or a condition under which it

would occur should be added after the term "semitransparent". Appropriate correction is

required.

Claim Rejections - 35 USC § 112

4.   Applicant's amendment corrects the previous rejection and therefore the rejection is

dropped.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

        (a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
art are such that the subject matter as a whole would have been obvious at the time the invention was made to

a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 1-4, 7, 9-12, 14-18, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss (Patent No. US 6,246,411 B1, hereinafter simply referred to as Strauss) in view of Selker (Patent No US 6549219 B2; hereinafter Selker).**

        As to claim 1, Strauss teaches:

        A graphical user interface (e.g., drag toolbar enable application, see Fig. 1A), comprising:

        a first region control initiating a first function when activated (e.g., control button 8, see Fig. 1B);

        a second region control associated with the first region control and initiating a second function (e.g., control button 9);

        a tracking menu boundary surrounding the first and second region controls (e.g., zone 42 as shown in Fig. 7); and

        a tracking symbol tracking a position of a position transducer moved by a user (e.g., cursor 4), movable within the first and second region controls (e.g., see col. 6, lines 63-64), initiating movement of the interface to track the tracking symbol when the boundary is encountered by the tracking symbol during movement of the tracking symbol (e.g., see col. 6, lines 65-67) and indicating event focus for activating and performing the first and second functions (e.g., Fig. 1B-1D).

        However, Strauss does not expressly teach that the second region control having an outer edge and that the tracking boundary is coincident with the outer edge.

        Selker, though, teaches a pie menu graphical user interface having a second region control associated with the first region control having an outer edge and initiating a second

function (e.g., see Fig. 1). Therefore, it would have been obvious to one skill in the art, at the

time the invention was made, to combine the pie menu graphical user interface as taught by

Selker with the drag toolbar as taught by Strauss to create a user interface where the second

region control having the outer edge and initiating the second function. In addition, it would

have been obvious to one skill in the art, at the time the invention was made, to implement the

limitation of the tracking menu boundary being coincident with the outer edge because Strauss

suggests to the skill artisan that a circular drag toolbar can be implemented using the disclose

invention (e.g., see Fig. 3A; note that the zone boundary has the same shape as the circular/pie

menu) and that various modifications may be made without departing from the spirit and scope

of the invention (e.g., see col. 8 lines 63-67). The motivation is to provide a user with a visual

cue as to what the tracking boundary is so that the user may user the tracking menu more

efficiently.

>   ***As to claim 20***, Strauss teaches:

>   A user interface (drag toolbar enable application, see Fig. 1A), comprising:

>   a movable control (i.e., drag toolbar 40 as shown in Fig. 7) having a first function

activatable (control button 8, see Fig. 1B) and a second function activatable (control button 9);

and

>   a tracking symbol (cursor 4) movable within the control (see col. 6, lines 63-64) and

moving the control when the tracking boundary surrounding the first and the second functions is

encountered (e.g., see Fig. 7 and col. 6, lines 65-67).

>   Strauss further teaches a circular drag toolbar can be implemented using the disclose

invention (e.g., see Fig. 3A; note that the zone boundary has the same shape as the circular/pie

menu) and that various modifications may be made without departing from the spirit and scope

of the invention (e.g., see col. 8 lines 63-67). However, Strauss fails to expressly teach that the

first function activatable in an entire peripheral region of the control and the second function

activatable in a central region of the control and that the movable control having an external

edge wherein the external edge is coincident with a tracking boundary.

Selker, though, teaches a pie menu graphical user interface having the first function

activatable in an entire peripheral region of the control and the second function activatable in a

central region of the control having an exterior edge (e.g., see Fig. 1). Thus, combining Strauss

and Selker would meet the claimed limitations for the same reasons as discussed with respect

to claim 1 above.

As to claim 21, claim 21 is in the same context as claim 20; therefore it is rejected

under similar rationale.

As to claim 2, Selker further teaches the second region control surrounds the first

region control (e.g., see Fig. 1). Thus combining Strauss and Selker would meet the claimed

limitation for the same reasons as discussed with respect to claim 1 above.

As to claim 3, Selker further teaches wherein the first region control is circular in shape

(e.g., see Fig. 1). Thus combining Strauss and Selker would meet the claimed limitation for the

same reasons as discussed with respect to claim 1 above.

As to claim 4, Selker further teaches wherein second region control is a most frequently

used function (e.g., see col. 4, lines 62-67 through col. 5, lines 1-3). Thus combining Strauss

and Selker would meet the claimed limitation for the same reasons as discussed with respect to

claim 1 above.

As to claim 7, Selker further teaches the first region control is circular shaped and the

second region control is ring shaped (e.g., see Fig. 1). Thus combining Strauss and Selker

would meet the claimed limitation for the same reasons as discussed with respect to claim 1 above.

As to claim 9, Selker further teaches wherein the second region control is segmented into ring segments each being a different control (e.g., control buttons 63-70 as shown in Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 1 above.

As to claim 10, Selker further teaches comprising a ring control having a ring shape surrounding the second control region (i.e., the outer ring, see Fig. 6) and initiating a third function when activated (i.e., highlighted when activated as shown in Fig. 8). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 1 above.

As to claims 11 and 14, Selker further teaches comprising a button control initiating a third function when activated and located on a boundary between the first and second region controls (e.g., see Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 1 above.

As to claim 12, Selker further teaches comprising a button control initiating a third function when activated and located within a region (e.g., note that button 61 is located within the pie menu, see Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 1 above.

As to claim 15, Selker further teaches button controls (i.e., control buttons 61 and 62 as shown in Fig. 6) initiating a functions when activated (i.e., functions that associates with buttons 61 and 62) and located on a boundary between the first and second region controls (see Fig. 6)

and creating access channels for movement of the tracking symbol within the interface (i.e., the

user can move the cursor within the ring region containing control buttons 61 and 62). Thus

combining Strauss and Selker would meet the claimed limitation for the same reasons as

discussed with respect to claim 1 above.

As to claim 16, Selker further teaches a pie menu graphical user interface having a

second region control associated with the first region control having an outer edge and initiating

a second function (e.g., see Fig. 1). Strauss further teaches that a circular drag toolbar can be

implemented using the disclose invention (e.g., see Fig. 3A; note that the zone boundary has

the same shape as the circular/pie menu) and that various modifications may be made without

departing from the spirit and scope of the invention (e.g., see col. 8 lines 63-67). Thus

combining Strauss and Selker would meet the claimed limitation for the same reasons as

discussed with respect to claim 1 above.

As to claim 17, Strauss further teaches wherein the interface is invoked by pressing an

activation key (see col. 2, lines 54-55).

As to claim 18, Strauss further teaches wherein the interface is displayed while an

activation key is active (see col. 2, lines 54-55).

7.   **Claims 22-24, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

Strauss in view of Warnock et al. (Patent No 5,634,064; hereinafter simply referred to as

Warnock).

As to claim 22, Strauss teaches:

A method, comprising: displaying a tracking menu tool having an exterior edge (e.g. see Fig. 7);

allowing a user to select copy or paste operations using the tracking menu tool and an input transducer (e.g., see Fig. 7 and col. 1 lines 18-28); and

performing a selected one of the copy and paste operation responsive to movements of the input transducer by the user and causing the menu to move when the tracking boundary is encountered (e.g., see Fig. 7 and col. 6 lines 30-67).

However, Strauss does not expressly teach that the tracking menu includes pan and zoom operations and that the exterior edge is coincident with the tracking boundary so as to cause the menu to move when the exterior edge is encountered.

Warnock, though, teaches a user interface having a toolbar menu where the toolbar menu includes pan and zoom operations that when selecting one of the pan and zoom operation causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a). Therefore, it would have been obvious to one skill in the art, at the time the invention was made, to implement a tracking menu having a pan and zoom operations having the tracking menu being coincident with the exterior edge of the tracking menu because Strauss suggests to the skill artisan that various modifications may be made without departing from the spirit and scope of the invention (e.g., see col. 8 lines 63-67) and that the disclose drag toolbar can be used for other applications as well (e.g., see col. 2 lines 53-57). The motivation elevate a user's ease of interaction with the software application and to provide a visual cue as to what the tracking boundary is so that the user may user the tracking menu more efficiently.

As to claim 29, claim 29 reflects an apparatus comprising a display and a pen type input transducer (e.g., see col. 1, lines 18-21 and col. 2 lines 18-25) for performing the method steps as recited in claim 22, and is rejected along the same rationale.

As to claim 23, Strauss further teaches that displaying a corresponding copy and paste tracking symbol icon as a replacement for the tool during the performing (e.g., see Fig. 7 and col. 6 lines 47-67). Warnock, though, teaches a user interface having a toolbar menu where the toolbar menu includes pan and zoom operations that when selecting one of the pan and zoom operation causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a). Thus, combining Strauss and Warnock would meet the claimed limitations for the same reasons as discussed with respect to claim 22 above.

As to claim 24, Strauss further teaches wherein replacement occurs when the tool is pinned (e.g., see Fig. 7 and col. 6 lines 47-67). Warnock also teaches replacement occurs when the tool is pinned (i.e., the toolbar is docked at the top of the screen, see Fig. 4a). Thus, combining Strauss and Warnock would meet the claimed limitations for the same reasons as discussed with respect to claim 22 above.

As to claim 28, Strauss further teaches the tool can be pinned and the tool is unpinned when the transducer moves beyond an unpin border (e.g., see Fig. 7 and col. 6 lines 47-67).

8.   Claims 5, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Selker further in view of Warnock.

As to claim 30, Strauss teaches:

A computer readable storage controlling a computer via a copy and paste tracking menu interpreting transducer input events as copy and paste selection and control events and interpreting transducer motion as a menu move event when a tracking boundary of the menu is encountered (e.g., see col. 8 lines 34-62 and Fig. 7).

Strauss further teaches a circular drag toolbar can be implemented using the disclose

invention (e.g., see Fig. 3A; note that the zone boundary has the same shape as the circular/pie

menu) and that various modifications may be made without departing from the spirit and scope

of the invention (e.g., see col. 8 lines 63-67). However, Strauss does not expressly teach that

the tracking menu having the appearance of a center and a surrounding ring and that the

exterior edge is coincident with the tracking boundary so as to cause the menu to move when

the exterior edge is encountered.

Selker teaches a pie graphical user interface having the appearance of a center and a

surrounding ring (e.g., see Fig. 1). Thus, combining Strauss and Selker would meet the claimed

limitations for the same reasons as discussed with respect to claim 1 above.

Strauss and Selker do not expressly teach that the tracking menu includes pan and

zoom operation.

Warnock teaches a user interface having a toolbar menu where the toolbar menu

includes pan and zoom operations that when selecting one of the pan and zoom operation

causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a). Thus,

combining Strauss, Selker, and Warnock would meet the claimed limitations for the same

reasons as discussed with respect to claim 22 above.

As to claim 31, claim 31 reflects a computer readable medium controlling a computer

having a display and a pen type input transducer (e.g., see col. 1, lines 18-21 and col. 2 lines

18-25) for performing the functions as recited in claim 30 above, and is rejected along the same

rationale.

As to claim 32, Strauss teaches:

A graphical user interface (e.g., drag toolbar enable application, see Fig. 1A), comprising:

a tracking menu having a copy and paste controls and with the tracking menu moving when a tracking boundary of the menu is encountered (e.g., see col. 8 lines 34-62 and Fig. 7).

Strauss further teaches a circular drag toolbar can be implemented using the disclose invention (e.g., see Fig. 3A; note that the zone boundary has the same shape as the circular/pie menu) and that various modifications may be made without departing from the spirit and scope of the invention (e.g., see col. 8 lines 63-67). However, Strauss does not expressly teach that the tracking menu having the appearance of a center and a surrounding ring and that the exterior edge is coincident with the tracking boundary so as to cause the menu to move when an area immediately outside the menu is about to be reached.

Selker teaches a pie graphical user interface having the appearance of a center and a surrounding ring (e.g., see Fig. 1). Thus, combining Strauss and Selker would meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

Selker further teaches that the pie menu can be implemented on any computer display and that Selker's disclose invention is not limited by size, shape, position, menu type.. (e.g., see col. 5 lines 46-61). However, Strauss and Selker do not expressly teach that the tracking menu includes pan and zoom operation and that the zoom control is in a center and a pan control surrounding the zoom control.

Warnock teaches a user interface having a toolbar menu where the toolbar menu includes pan and zoom operations that when selecting one of the pan and zoom operation causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a). Thus, combining Strauss, Selker, and Warnock would meet the claimed limitations for the same reasons as discussed with respect to claim 22 above.

As to claim 5, Selker further teaches that the pie menu can be implemented on any computer display and that Selker's disclose invention is not limited by size, shape, position, menu type.. (e.g., see col. 5 lines 46-61). However, Strauss and Selker do not expressly teach that the first function is a zoom function and the second function is a pan function. Warnock teaches a user interface having a toolbar menu where the toolbar menu includes pan and zoom operations that when selecting one of the pan and zoom operation causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a). Thus, combining Strauss, Selker, and Warnock would meet the claimed limitations for the same reasons as discussed with respect to claim 22 above.

9.   **Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Warnock further in view of Mullet et al (Patent No 5,638,523; hereinafter simply refer to as Mullet).**

As to claim 25, Strauss and Warnock teach the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Strauss and Warnock do not expressly teach designating a zoom control axis responsive to initial movement of the input transducer after the zoom operation is selected. Mullet, though, teaches a zoom control axis (i.e., magnification adjustment slider 17 as shown in Fig. 2a) responsive to initial movement of the input transducer (mouse 25 and cursor 21 as shown in Fig. 1) after the zoom operation is selected (i.e., when the browsing tool 10 is in the magnification mode, see col. 4, lines 65-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the browsing tool as taught by Mullet to the navigation tool as taught by Dow

to efficiently browse through the information displayed on the screen (see Mullet col. 1, lines 57-60).

As to claim 26, Mullet further teaches comprising controlling a zoom scale factor responsive to a projection of transducer movements onto the control axis (see col. 5, lines 10-15). Thus combining Strauss, Warnock and Mullet would meet the claimed limitation for the same reasons as discussed with respect to claim 25 above.

10.   **Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Warnock further in view of Selker.**

As to claim 27, Strauss and Warnock teach the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Strauss and Warnock fail to expressly teach that the tool includes a replaceable control and said method further comprises designating the replicable control as the most recently selected operation. Selker, though, discloses the tool includes a replaceable control and said method further comprises designating the replicable control as the most recently selected operation (i.e., the menu item of highest frequency of use is placed in the level 1 circle 10; note that the menu items can be any symbols generally known and used as menu items, see col. 3, lines 35-43). Thus combining Strauss, Warnock and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 30 above.

11.   **Claims 6, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Selker further in view of Warnock and further in view of Nicholas, III (Patent No US 6,865,719 B1; hereinafter simply referred to as Nicholas).**

As to claim 6, Strauss and Selker teach the limitations of claim 1 for the same reason

as discussed above. Strauss further teaches that the region is transparent when the tracking

symbol is active (i.e., the drag toolbar 7 is transparent when button 8 is selected, instead icon 6

will be used to depict the currently selected option, see Fig. 1D). Strauss also discloses that the

drag toolbar can be grayed out due to certain condition (see col. 8, lines 1-10) and that one of a

copy or move icon replaces the tracking symbol when the functions are activated (e.g., see

Figs. 1B, 1D). However, Strauss and Selker do not expressly teach one of a zoom and pan icon

replaces the tracking symbol when the functions are activated. Warnock teaches a user

interface having a toolbar menu where the toolbar menu includes pan and zoom operations that

when selecting one of the pan and zoom operation causes the selected operation to be

performed (e.g., see col. 10 lines 20-35 and Fig. 4a). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to have used the function of replacing

the cursor with the activated tool as taught by Warnock to the tracking menu as taught by

Strauss and Selker to indicate to the user what tool is currently activated and thus enhance the

readability of the portion that is out-of-range (see Warnock col. 2, lines 30-37 and col. 10, lines

30-35).

Strauss, Selker and Warnock do not expressly teach that the region is semi-transparent

when the tracking symbol is inactive. Nicholas, though, teaches that the region is semi-

transparent when the tracking symbol is inactive and transparent when the tracking symbol is

over a text link (e.g., see item 208b and item 208c in Fig. 2A).

It would have been obvious to one of ordinary skill in the art at the time the invention was

made to have used the function of changing the visual feature of the region as taught by

Nicholas to the tracking menu as taught by Strauss, Selker and Warnock to provide a visual

indication to a user the state of the tracking symbol or cursor.

As to claim 13, Strauss further teaches that the region is transparent when the tracking symbol is active (i.e., the drag toolbar 7 is transparent when button 8 is selected, instead icon 6 will be used to depict the currently selected option, see Fig. 1D). Strauss also discloses that the drag toolbar can be grayed out due to certain condition (see col. 8, lines 1-10). Nicholas teaches that the region is semi-transparent when the tracking symbol is inactive and transparent when the tracking symbol is over a text link (e.g., see item 208b and item 208c in Fig. 2A). Thus, combining Strauss, Selker, Warnock and Nicholas would meet the claimed limitations for the same reason as discussed in claim 6 above.

As to claim 19, Strauss discloses:

A graphical user interface (drag toolbar enable application, see Fig. 1A), comprising:

a first region control initiating a function when activated (control button 8, see Fig. 1B);

a second region control initiating a function when activated (control button 9);

a tracking menu boundary surrounding the first and seconds controls (i.e., zone boundary 42 as shown in Fig. 7);

the interface is transparent when the functions are activated (i.e., the drag toolbar 7 is transparent when button 8 is selected, instead icon 6 will be used to depict the currently selected option, see Fig. 1D). Strauss also discloses that the drag toolbar can be grayed out due to certain condition (see col. 8, lines 1-10) and that one of a copy or move icon replaces the tracking symbol when the functions are activated (e.g., see Figs. 1B, 1D, 7 and col. 6 lines 47-67);

Strauss further teaches a circular drag toolbar can be implemented using the disclose invention (e.g., see Fig. 3A; note that the zone boundary has the same shape as the circular/pie menu) and that various modifications may be made without departing from the spirit and scope

of the invention (e.g., see col. 8 lines 63-67). However, Strauss does not expressly teach that the second region control having an outer edge and that the tracking boundary is coincident with the outer edge wherein the first region control is circular shaped and the second region control is ring shaped.

Selker, though, teaches a pie menu graphical user interface having a second region control associated with the first region control having an outer edge and initiating a second function wherein the first region control is circular shaped and the second region control is ring shaped (e.g., see Fig. 1);

a ring control having a ring shape surrounding the second control region (i.e., the outer ring, see Fig. 6) and initiating a third function when activated (i.e., highlighted when activated as shown in Fig. 8)

button controls (i.e., control buttons 61 and 62 as shown in Fig. 6) initiating a additional functions when activated (i.e., functions that associates with buttons 61 and 62), located on a boundary (see Fig. 6) between the first and second region controls and creating access channels for movement of the tracking symbol within the interface (i.e., the user can move the cursor within the ring region containing control buttons 61 and 62);

Thus combining Strauss and Selker would meet the claimed limitations for the same reasons as discussed in claim 1. In addition, it would have been obvious to one skill in the art, at the time the invention was made, to implement the limitation of the tracking menu boundary being coincident with the outer edge.

Selker further teaches that the pie menu can be implemented on any computer display and that Selker's disclose invention is not limited by size, shape, position, menu type.. (e.g., see col. 5 lines 46-61). However, Strauss and Selker do not expressly teach a pan and zoom operation.

Warnock teaches a user interface having a toolbar menu where the toolbar menu

includes pan and zoom operations that when selecting one of the pan and zoom operation

causes the selected operation to be performed (e.g., see col. 10 lines 20-35 and Fig. 4a).

Warnock further teaches function icon replaces the tracking symbol when the functions are

activated (i.e., hand icon 126 as shown in Fig. 4a).

Thus, combining Strauss, Selker, and Warnock would meet the claimed limitations for

the same reasons as discussed with respect to claim 22 above.

Strauss, Selker, and Warnock do not expressly teach that the interface is semi-

transparent when the functions are not activated.

Nicholas teaches that the region is semi-transparent when the tracking symbol is

inactive and transparent when the tracking symbol is over a text link (e.g., see item 208b and

item 208c in Fig. 2A). Thus, combining Strauss, Selker, Warnock and Nicholas would meet the

claimed limitations for the same reason as discussed in claim 6 above.

12.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in

view of Selker further in view of Nicholas.

As to claim 8, Strauss and Selker teach the limitations of claim 7 for the same reasons

as discussed with respect to claim 7 above. Strauss further teaches that an icon for the second

region control is displayed when the tracking symbol is over the second region control (i.e.,

displaying a tool tip when the cursor is over a control, see col. 2, lines 33-38). However,

Strauss does not expressly disclose that the second region control is made invisible during

movement. Nicholas, though, teaches the second region control is made invisible during

movement (i.e., the message 202b can be removed from view while trailing the cursor, see col.

6, lines 4-15, or Fig. 2A Item 208c).

It would have been obvious to one of ordinary skill in the art at the time the invention was

made to have used the function of trailing message as taught by Nicholas to the tracking menu

as taught by Strauss as modified by Selker to reduce the distraction to the user trying to read

the information (see Nicholas col. 6, lines 10-15).

Response to Arguments

13.   Applicant's arguments filed 4/13/07 have been fully considered but they are not

persuasive.

Applicant's argument that the prior art of Strauss does not teach that the region

boundary is coincident with the menu boundary (e.g., see remarks page 7 Para 4). However, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to

have implemented this limitation because Strauss suggests to the skilled artisan that a circular

drag toolbar can be implemented using the disclose invention (e.g., see Fig. 3A; note that the

zone boundary has the same shape as the circular menu) and that various modifications may

be made without departing from the spirit and scope of the invention (e.g., see col. 8 lines 63-

67). The motivation is to provide a user with a visual cue as to what the tracking boundary is so

that the user may user the tracking menu more efficiently.

Applicant's arguments regarding the prior art of Dow (e.g., see remarks page 7 Para 6-7)

have been fully considered but they are moot in new grounds of rejection. Please refer the

rejection discussed in this action for further information.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T
6/08/2007

Lien Tran
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